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**FACSIMILE COVER LETTER**

**To:** David T. Fox  
Group Art Unit: 1638

**Firm:** United States Patent and Trademark Office

**Facsimile:** (703) 872-9306

**From:** Marilyn Matthes Brogan

**Date:** February 4, 2004

**Re:** Application Serial No. 09/155,921  
Inventor: Donn et al.  
Our Docket No.: 514413-3669

**Number of Pages:** 6  
(including cover page)

**CC:**

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As you requested.

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Document6

PAGE 2/6 \* RCV'D AT 2/4/2004 12:54:50 PM [Eas(em Standard Time], SVR:USPTO-EFRF-11, DMS:8729306, CSID:12125880500, DURATION (mm:ss): 05:06  
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## CONTINUED PROSECUTION APPLICATION (CPA)

### REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
 DUPLICATE

Address to:	Attorney Docket No. of Prior Application	514413-3669
	First Named Inventor	Donn et al.
	Examiner Name	David T. Fox
	Group/Art Unit	1638
	Express Mail Label No.	EV345017525US

This is a request for a  continuation or  divisional application under 37 C.F.R. 1.53(d),  
(continued prosecution application (CPA)) of prior application number 09/155,921, filed on 5/13/99, entitled Process for the  
Production of Plants with Enhanced Growth

1.  Enter the unentered amendment previously filed on March 20, 2003 under 37 C.F.R. 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

[Page 1 of 2]

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PAGE 3/6 • RCV'D AT 2/4/2004 12:34:50 PM [Eastern Standard Time] • SVR:USPTO-EFXRF:1.1 • DMS:8/29306 • CSID:12125880500 • DURATION (mm:ss):0:51:06  
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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b> (37 CFR 1.16(c) or (i))	<b>9 - 20*</b> =	<b>0</b>	<b>x \$ 18 =</b>	<b>\$ 0.00</b>
	<b>INDEPENDENT CLAIMS</b> (37 CFR 1.16(b) or (i))	<b>2 - 3** =</b>	<b>0</b>	<b>x \$ 84 =</b>	<b>0.00</b>
	<b>MULTIPLE DEPENDENT CLAIMS</b> (if applicable) (37 CFR 1.16(d))			<b>+ \$ 280 =</b>	<b>280.00</b>
				<b>BASIC FEE</b> (37 C.F.R. § 1.16)	<b>750.00</b>
				<b>Total of above Calculations =</b>	<b>\$ 1030.00</b>
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Returns claims in excess of 20 and over original patent.				
	** Returns independent claims over original patent			<b>TOTAL =</b>	<b>\$ 1030.00</b>

6.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27)

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **50-0320**

- a.  Fees required under 37 C.F.R. 1.16.
- b.  Fees required under 37 C.F.R. 1.17.
- c.  Fees required under 37 C.F.R. 1.18.

8.  A check in the amount of **\$1030.00** is enclosed.

9.  Payment by credit card. Form PTO-2038 is attached.

10.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11.  New Attorney Docket Number, if desired

[Prior application Attorney Docket Number will carry over to this CPA unless a new Attorney Docket Number has been provided herein.]

12. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized. See MPEP 503).

13.  Other:

#### 14. NEW CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label				or <input type="checkbox"/> New correspondence address below
Name	Marilyn Matthes Brogan FROMMER LAWRENCE & HAUG LLP			
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Serial No. 09/155,921 File No. J14413-3669 By Mark S. Lee

Title in the Matter of the Application of \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office  
The following document(s) in the U.S. Patent Office, was received in the Patent Office

Declaration  Express Mail Mailing Certificate  
 Affidavit  (separate sheet)  
 Amendment  
 Preliminary Amendment  
 Amendment After Final Rejection  
 Request for Extension of Time  
 Provisional Patent Application  
 Application for Patent, including  
    — Patent Specification  Claims  
    — Declaration  Oath  Power  
    — Drawing  Sheet(s)  
    — Information Disclosure Statement  
    — PTO Form 1449  
  Issue Fee Transmittal  
  Brief  Letter  
 Application for TM Registration  
Application: \_\_\_\_\_ sheets, in duplicate  
File Wrapper Continuation Patent Application  
Including \_\_\_\_\_ Specimens  
  Status Request  Notice of Appeal  
  Petition  Response  
  Priority Document  
  Single Entity Declaration  
  RCT Request \_\_\_\_\_ sheets, including  
  Transmittal Letter to the USPTO  
 Assignment  Recordation Cover Sheet  

Mark S. Lee, PTO Form 1449



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